

JAMES F. LISOWSKI, SR.,
Panel Bankruptcy Trustee
Nevada Bar No.: 4321
P.O. Box 95695
Las Vegas, NV 89193
(702) 737-6111

E-Filed 6/28/10

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEVADA

In re:
WILLIAM GAYLER

CASE NO.: BK-S 09-31603 MKN
Chapter 7

Address: 23 GOLDEN SUNRAY
LAS VEGAS, NV 89135
Debtor(s)

Date: August 4, 2010
Time: 11:00a.m.

**TRUSTEE'S MOTION TO EXTEND TIME TO FILE ADVERSARY PROCEEDING
FOR NON-DISCHARGE**

James F. Lisowski, Sr., Chapter 7 Panel Trustee in the above entitled Bankruptcy case. hereby moves this Court for an Order Extending the Time to File Adversary Proceeding for Non-Discharge. This motion is based upon the following Points and Authorities. the entire case file and any oral argument this Court may wish to hear regarding this matter.

MEMORANDUM OF POINTS AND AUTHORITIES

I. FACTS

1. Debtor(s) filed their Voluntary Petition for Bankruptcy on or about 11/16/09 under Chapter 7 of Title. and an Order for Relief was entered.
2. James F. Lisowski, Sr. was appointed the Chapter 7 Trustee in this case and has acted in that capacity ever since his appointment.
3. Debtor(s) appeared and testified at the first setting of their §341(a) Meeting of Creditors on 04/30/10. Debtor(s) stipulated that they would provide to the Trustee several documents relating to the administration of the case.
4. Debtors have not yet delivered the requested documents to the Trustee.
5. The Trustee requests an extension of time of an additional ninety (90) days from the date of this hearing to file a Complaint for Non-Discharge against Debtor(s). The statutory deadline is June 29, 2010 (sixty (60) days after the first setting of the §341(a) Meeting of Creditors). The

1 Trustee, therefore, requests an extension of ninety (90) days or until September 29, 2010 to file a
2 non-discharge action against Debtor(s).

3 **II. LEGAL ARGUMENT**

4 Pursuant to Fed. R. Bankr. P., Rule 4004(a), a complaint for non-discharge must be filed
5 within sixty (60) days of the first creditor's meeting. However, the Court may extend that period of
6 time for cause shown. Fed. R. Bankr. P., Rule 4004(b) and Fed. R. Bankr. P., Rule 9006(b)(1).
7 Cause exists in this case, as the Trustee has not received the documents necessary to administer the
8 case. The Trustee requests additional time for Debtor(s) to produce the requested documents and
9 to follow up on the information.

10 **WHEREFORE**, James F. Lisowski, Sr., Chapter 7 Trustee, respectfully requests an
11 extension of time of ninety (90) days, or until September 29, 2010, to file an Adversary Proceeding
12 for Non-Discharge; and for any further relief this Court may so deem to grant.

13
14 DATED this 26th day of June, 2010.

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17 By: 

18 JAMES F. LISOWSKI, SR.
19 Panel Bankruptcy Trustee
20 Nevada Bar No.: 4321
21 P.O. Box 95695
22 Las Vegas, Nevada 89193
23 Phone: (702) 737-6111
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